

The Honorable Benjamin H. Settle

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

JOHN DOE #1, an individual, JOHN
DOE #2, an individual, and PROTECT
MARRIAGE WASHINGTON,

Plaintiffs,

v.

SAM REED, in his official capacity as
Secretary of State of State of Washington,
BRENDA GALARZA, in her official
capacity as Public Records Officer for the
Secretary of State of Washington,

Defendants.

NO. 09-cv-05465-BHS

DESIGNATED DEPOSITION
TESTIMONY OF

Pursuant to Local Rule 32(e), Defendants Sam Reed and Brenda Galarza, Intervenors Washington Families Standing Together and the Washington Coalition for Open Government and Plaintiffs John Doe #1, John Doe #2, and Protect Marriage Washington (collectively, the “Parties”) hereby submit combined designated deposition testimony for

Defendants and Intervenors object to the admission of any deposition testimony taken of any witnesses who could be called to testify at trial. Therefore, the designations of

1 Defendants and Intervenorors are being submitted in the event that the Court decides to admit
2 deposition testimony.

3 For the Court's convenience Defendants' designations have been highlighted in blue,
4 Intervenorors' designations have been highlighted in pink, and Plaintiffs' designations have
5 been highlighted in yellow. Objections have been noted in the margins. Plaintiffs will be
6 filing the redacted versions of these documents.

7 DATED this 6th day of September, 2011.

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No. 09-CV-05456-BHS

Deposition Upon Oral Examination
Of

Taken by: Tracey L. Juran, CCR
CCR No. 2699

September 22, 2010

Everett, Washington

Tracey Juran, Certified Court Reporter

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EXHIBITS MARKED

None

* * * * *

EXAMINATION

Q. Let me give you a few ground rules that we'll both need to be careful of. One is that we need to make sure we say yes or no instead of head nodding or mm-hms, because it's difficult for the court reporter to get a good

1 record of what we're saying otherwise.

2 A. Okay.

3 Q. And it's also important for us to wait for each other to
4 finish talking before we begin talking so that we don't
5 overlap on the record.

6 A. Okay.

7 Q. And finally, it's very important that we understand each
8 other. So if I ask you anything that doesn't make sense
9 or you're confused, please let me know and we can make
10 sure that we're both understanding each other. Okay?

11 A. Sounds good.

12 Q. Can you tell me about your current employment.

13 A. I work for the .

14 Q. Excuse me; I didn't hear you.

15 A.

16 Q. Is that your full-time job?

17 A. Yes.

18 Q. And that's something that you're doing with your dad, I
19 assume?

20 A. Well, yeah. He's the

21 Q. And just for the record, your father's
22 correct?

23 A. Yes.

24 Q. And what employment did you have in 2009?

25 A. I worked for .

1 Q. And were you paid for that work?

2 A. Yes.

3 Q. How much were you paid?

4 A. I think it was around \$800 a month.

5 Q. What did you do when you were working for
6 ?

7 A. I did a lotta various things. I picked up literature
8 and signs and went all across the state and distributed
9 materials and things like that. Pretty much anything
10 they needed me to do.

11 Q. Did you have a Referendum 71 bumper sticker on your car?

12 A. I don't even think we had any that I remember.

13 Q. Did you have any Referendum 71 paraphernalia, like
14 T-shirts or hats or anything?

15 A. I don't think we had any of those either.

16 Q. Did you ever gather petition signatures?

17 A. Yes.

18 Q. Where did you do that?

19 A. I did it in Olympia at one point.

20 Q. And do you remember where you were when you did that?

21 A. Oh, yeah, the State Capitol. There was a rally going
22 on.

23 Q. Anywhere else?

24 A. I didn't do a whole lotta that. We had volunteers who
25 did that, and I was pretty much doing things in the

1 campaign that were more, you know, distributing them.

2 So I wasn't doing that very much, gathering signatures.

3 Q. So you only gathered signatures on one day at the State
4 Capitol?

5 A. I don't remember if it was more than one day. I may
6 have done it a couple other times, but I don't remember.

7 Q. Do you remember when that rally was, roughly?

8 A. No.

9 Q. Did you ever hold up Referendum 71 signs at any events?

10 A. I think maybe once or twice at some sign wavings.

11 Q. Do you remember where you were?

12 A. I traveled all over the state that year. It's tough to
13 remember specifically where I was at -- you know. No, I
14 don't remember where I was.

15 Q. You don't remember what town you were in?

16 A. Right.

17 Q. Do you remember what the location was like, whether you
18 were holding signs in a private location, on private
19 property?

20 A. It -- I assume it would be on public property if -- we
21 were, I mean, probably at an intersection or some
22 highly, you know, trafficked area.

23 Q. I assume you wanted to be seen by as --

24 A. Correct.

25 Q. -- many people as you could. Okay.

1 Did you ever get asked questions by any reporters
2 about Referendum 71?

3 A. No.

4 Q. Did you ever, other than holding signs and asking for
5 petition signatures, publicly identify yourself with
6 Protect Marriage Washington?

7 A. I made a comment on an article where I had many nasty
8 responses towards me and my father.

9 Q. Was that an article on-line by ?

10 A. Yes.

11 Q. And you responded to the on-line article with a comment
12 posting?

13 A. Yes.

14 Q. Did you make any comments on any other Web sites?

15 A. No.

16 Q. Did you ever work to get volunteers to help with
17 Referendum 71?

18 A. In some form or another, yes. I mean, everything that
19 we did was to recruit volunteers as well as, you know,
20 get the -- get it out there, you know, in people's minds
21 and --

22 Q. What did you --

23 A. -- stuff like that.

24 Q. -- personally do to recruit volunteers?

25 A. I guess it would be indirectly, things I did indirectly.

1 So it was never like I was calling people up and asking
2 them to work for the campaign. I never did anything
3 like that.

4 Q. What did you do?

5 A. Well, like I said, I built signs and I picked up
6 literature and I distributed literature and I worked
7 with other people on the campaign team, delivered signs.
8 I just did anything the campaign, you know, needed help
9 with. So, I mean, it was always indirect, sort of, you
10 know.

11 Q. Before there was a Referendum 71, there was a bill in
12 the Legislature. Do you recall that?

13 A. No.

14 Q. And did you testify at any legislative hearings?

15 A. Oh, you mean the bill -- can you repeat the question.

16 Q. There was a bill that was the precursor to
17 Referendum 71.

18 A. Oh, okay, yeah.

19 Q. So you're --

20 A. I know what you're talking about.

21 Q. -- familiar with that.

22 A. Yeah. I was --

23 Q. There were some --

24 A. -- a little confused.

25 Q. There was a public hearing with regard to that bill.

1 Did you attend that hearing?

2 A. No.

3 Q. Did you attend any rallies or gatherings?

4 A. Yes.

5 Q. Can you tell me about those.

6 A. We had a couple at the State Capitol. I think the
7 one -- what you were just referring to about the hearing
8 on the bill I did not attend. I think that was the
9 first one. But there's several others after that all
10 around the state. I remember, I think, one in Olympia.
11 That's on the Capitol steps, I think. To be honest, I
12 don't remember specifically where they were, the rest of
13 them.

14 Q. But you remember attending several?

15 A. Sure, yes.

16 Q. And when you were at these rallies, did you do anything
17 to promote Referendum 71?

18 A. Besides waving a sign?

19 Q. So you waved a sign at the --

20 A. Yeah --

21 Q. -- rallies.

22 A. -- things like that. I was never a public speaker or
23 anything.

24 Q. But you held the sign?

25 A. Right.

1 Q. Did you attend any public debates about Referendum 71?

2 A. Not that I can recall.

3 Q. Did you go to the Secretary of State's Office and watch
4 the signature-checking process?

5 A. Yes, I did.

6 Q. Did you sign in there?

7 A. Yes.

8 Q. How many days did you go to watch the signature-
9 verification process?

10 A. I think I was there the first day and that's it.

11 Q. And did you ever speak on the radio or television?

12 A. No.

13 Q. Did you ever get into any shots that were shown on the
14 TV that you're aware of?

15 A. Not that I'm aware of.

16 Q. Do you know if your name was ever listed anywhere as
17 being associated with --

18 A. Yes, it was, I remember, in a couple articles, not
19 specifically. It was probably or

20 or something where they talked about

21 working on the campaign or

22 is working on the campaign. I know

23 it was -- they said son at one time and

24 another time. I don't remember specifically, but yes,

25 my name was brought up in articles.

1 Q. Were you aware that when you were paid by
2 those expenditures were reported to
3 the Public Disclosure Commission?

4 A. Yes.

5 Q. And did you know the Public Disclosure Commission
6 reports are available on-line to the public?

7 A. Yes.

8 Q. Did you know that your name and address were listed
9 there and the amount paid to you?

10 A. I'm not, you know, familiar with all the technicalities,
11 but if -- I'm sure that is.

12 Q. Are you saying that because you're agreeing with my
13 representation or you personally know that to be the
14 case?

15 A. I don't personally know that to be the case, but it
16 seems like that's probably the case.

17 Q. So you're here today because you've been named as a
18 witness in the Doe v. Reed case, and I assume you're
19 aware of that.

20 A. Yes.

21 Q. And my understanding is that you have experienced
22 something that you considered to be threats or
23 harassment as a result of your association with
24 Referendum 71; is that correct?

25 A. Yes.

1 Q. Can you describe each of those incidents to me. We can
2 walk through each one one by one in detail.

3 A. Okay. Personally, I was attacked on-line for the
4 comments I made in article. I'm sure you
5 guys have that, since you seemed to know what I was
6 talking about when I mentioned that. You can read what
7 they said about me and they said about my dad.

8 Q. What sort of attacks? What sort of things were said, do
9 you recall?

10 A. Saying that my dad's a bigot and that he should -- you
11 know, things like he should burn in hell, he's an
12 asshole, he -- you know, he's a -- you know, he hates,
13 he's a hater. I don't even -- there's countless things
14 that they said about him. I mean, pretty much any
15 insult you could come up with under the sun they said
16 about him.

17 Q. Did they say anything about you specifically?

18 A. They never said anything about me -- you know, they
19 never said, you know, I am a jerk for working on the
20 campaign or whatever. But they said -- they responded
21 to me, telling me my, you know -- saying my dad's, you
22 know -- a whole lot of nasty things about me and -- or
23 about my dad and about my family. So --

24 Q. And that was in response to the comment that you
25 posted --

1 A. Yeah.

2 Q. -- on ; correct?

3 A. Yes.

4 Q. Were there any other times that you were attacked on-
5 line?

6 A. No, not to my knowledge.

7 Q. Any other instances of what you considered to be threats
8 or harassment?

9 A. Towards myself?

10 Q. Yes.

11 A. Not personally towards myself, but towards my family and
12 towards my father at all times pretty much throughout
13 the entire campaign.

14 Q. And you talked about the on-line attacks that were made
15 about your dad. Did you witness anything that would be
16 more of a physical attack on your dad at any point?

17 A. Not in that article.

18 Q. I assume you saw on-line in many locations many comments
19 about your dad; is that correct?

20 A. Yes.

21 Q. Did you ever see him -- as opposed to in print, did you
22 ever see anyone in person physically attack your dad?

23 A. Physically attack my dad? No.

24 Q. Yes.

25 Did you ever see anyone physically attacked for

1 their association with Referendum 71?

2 A. No.

3 Q. Did you ever see your dad threatened in person, as
4 opposed to the many things you say were posted on-line?

5 A. Yeah. How about the 20 voice mails we got every night?
6 I mean, that's an exaggeration, but every single night
7 we got some sort of threat over the phone.

8 Q. We'll talk about phone in a minute. We'll definitely --

9 A. Okay.

10 Q. -- get to that. I'll make a note of it.

11 But in person, person to person, did you ever hear
12 someone make a verbal threat in person to your dad?

13 A. No.

14 Q. Did you ever witness any physical or verbal in-person
15 attack on anyone working on Referendum 71?

16 A. Not that I can recall.

17 Q. So let's talk about the phone incidents, then. Can you
18 tell me about that.

19 A. Yeah. I mean, out of the countless voice mails we got
20 threatening my dad, threatening my family, my dad only,
21 you know, chose to let me listen to a few of 'em because
22 there was -- I mean, it was just so nasty, I didn't
23 wanna hear it anyways. It was very upsetting.

24 Q. So you heard a few. Let's walk through those and talk
25 about what you heard.

1 A. Well, I remember one very specifically where this lady
2 was cursing with everything she could -- or every curse
3 under the sun about how -- you know, about my dad, you
4 know, just -- and then went on to say that he's a closet
5 homosexual and that he wants to -- or he probably wants
6 to give fellatio to all of his -- all the people he --
7 or the guys he works with and his bosses and stuff like
8 that. And that one was pretty -- well, I think you get
9 the idea as to how that would make me feel.

10 Q. And the next one? You heard another one; is that
11 correct?

12 A. I mean, it was just always pretty much the same banter,
13 you know, like you're an asshole, you shouldn't be doing
14 this, you -- why do you hate us, why do -- you know,
15 specifically -- you know, specific sentences I haven't
16 recorded in my head, you know, but it was every day.

17 Q. Would you say you listened to more than three of those
18 messages?

19 A. Maybe two to three and I pretty much stopped listening
20 to 'em. I didn't wanna hear 'em anymore.

21 Q. So it sounds like what you heard was foul language,
22 things of a sexual -- frankly, rude nature. Anything
23 else? Is there any category of comments that I'm
24 missing that you remember?

25 A. Not that I was -- nothing that was played for me.

1 Q. Any other threats or harassment of any sort that you
2 witnessed or heard?

3 A. Well, I mean, there was the guy that was calling, you
4 know, death threats for my dad and my family. The FBI
5 investigated him. You have to know about that.

6 Q. Can you tell me about that.

7 A. He was -- I don't remember exactly what he said, but he
8 called for, you know -- he made a death threat on my dad
9 and on my family and -- saying that, you know, he should
10 be killed, basically, for what he's doing.

11 Q. Did you hear the person?

12 A. Well, it wasn't a recording, I don't think. It was just
13 this guy's blog. I forget what his name was.

14 Q. So it wasn't a phone call.

15 A. No, it wasn't a phone call.

16 Q. Was this the blog in Bellingham?

17 A. Yeah.

18 Q. Do you know if your dad contacted the FBI?

19 A. I don't know what happened. I know the FBI got
20 involved. I don't think -- I don't know if we did or
21 did not contact the FBI.

22 Q. And do you know if anyone in your family or if your dad
23 ever contacted the police about any of the threats or
24 harassment?

25 A. I don't know for a fact, no.

1 Q. Anything else? Any other instances that you witnessed?

2 A. No.

3 Q. You said there were threats against your family. Can
4 you tell me about those.

5 A. Well, I think that was the blogger guy.

6 Q. The Bellingham blogger --

7 A. Yeah.

8 Q. -- again? Okay.

9 Other than the Bellingham blogger, do you remember
10 any other threats against your family?

11 A. No, but there was a guy in my front yard taking pictures
12 of my house.

13 Q. Did you see him?

14 A. No. I was not there for that event.

15 Q. You didn't -- you weren't in the yard for that event --

16 A. I was not home.

17 Q. You weren't home.

18 Did your sister tell you about that event or did
19 your father?

20 A. My parents did, yeah. I know my sister was very shook
21 up, though.

22 Q. Do you know of any actions that your family took as a
23 result of that event?

24 A. Yeah. I mean, we had our little -- had my little
25 sisters sleep in the living room because the enclosed

1 space -- the room they lived in, we feared, you know,
2 someone might throw a mazel tov (sic) cocktail through
3 the window or something. We had people taking pictures
4 of our house, clearly our address, I mean, ready to show
5 that to other people who could have done something like
6 that. So we kept 'em in the living room because we
7 thought it would be a safer spot for them. I mean --

8 Q. You said that you had people taking pictures of your
9 house.

10 A. Person. One person.

11 Q. And how do you know they were ready to show the pictures
12 on the Internet?

13 A. Well, I mean, that's what we assumed.

14 Q. So do you know if this individual could have been an
15 appraiser who was taking a photo of your house --

16 A. At night?

17 Q. What time was it?

18 A. I'm pretty sure it was at -- during the night.

19 Q. You don't know what time --

20 A. I don't know.

21 Q. -- this occurred?

22 Do you know if it could have been a burglar, since
23 it was at night?

24 A. No. What --

25 Q. Excuse me?

1 A. Nothing.

2 MS. EGELER: Can you read back that last response.

3 [Record read back as requested]

4 Q. (by Ms. Egeler) Just to clarify, in case you didn't
5 understand, do you know if this person could have had a
6 criminal intent to break into your home and steal or --

7 A. No.

8 Q. -- do something else? Okay.

9 Did you ever see photos of your home posted on the
10 Internet?

11 A. No.

12 Q. Did you look?

13 A. No.

14 Q. How long did your sisters sleep in the living room?

15 A. Few months. It was around two or three months.

16 Q. Do you know of any other instances of threats or
17 harassment related to Referendum 71?

18 A. Specifically, no, I can't remember any at the time.

19 But --

20 MS. EGELER: Okay, I have no further questions.

21

22 EXAMINATION

23 BY MR. DIXSON:

24 Q. , my name's Steve Dixon. I'm an attorney from
25 Spokane, Washington, representing Washington Coalition

1 for Open Government. I have a very few questions.

2 Just to be clear, did you ever sleep in the living
3 room or was it just your sisters?

4 A. I slept in the living room a few times, yeah.

5 Q. And because you felt unsafe or were you instructed to
6 sleep there by --

7 A. I --

8 Q. -- your dad?

9 A. I feared for the safety of my family and so I wanted to
10 watch over them.

11 Q. So you were there more to protect them than for your own
12 safety?

13 A. Correct.

14 Q. But it was main -- but it was your sisters that slept
15 there consistently for --

16 A. Yes.

17 Q. -- two or three months.

18 And did your older brother sleep in the living room
19 as well?

20 A. I don't remember.

21 Q. And other than the -- did you ever receive any phone
22 calls relating to Referendum 71 on your cell phone or at
23 the house?

24 A. Are you talking about threats or just people calling me
25 that worked with me?

1 Q. Threats.

2 A. No.

3 Q. Did you receive any --

4 A. No, I did not.

5 Q. -- threats on the home phone yourself?

6 A. No, I did not.

7 MR. DIXSON: Okay, that's all I have.

8

9

EXAMINATION

10 BY MS. ENGRAV:

11 Q. Good afternoon, . My name's Rebecca Engrav;
12 I'm an attorney for Washington Families Standing
13 Together. Also just a very few questions.

14 When you were discussing the Bellingham blogger and
15 you said that you were aware that the FBI had
16 investigated that, how did you become aware of the FBI's
17 involvement?

18 A. If I remember right, there may have been an article or
19 two on it. Maybe just through, you know, I mean, living
20 with my family and them informing me of what's going on.

21 Q. So it could be that your father told you about that?

22 A. Yeah.

23 Q. Or it could be that you read it in an article.

24 A. It could be either one. I mean, I don't remember
25 specifically.

1 Q. At the time you were living in the house, that was your
2 normal residence, was at the home?

3 A. Yes.

4 Q. And how many times, approximately, would you say that
5 you slept in the living room?

6 A. Approximately 10 to 20.

7 Q. The other times you slept in your normal bedroom?

8 A. Yeah, which was, you know, right across from the living
9 room. So --

10 MS. ENGRAV: That's all.

11

12 EXAMINATION

13 BY MR. PIDGEON:

14 Q. , I have just a couple of questions. Stephen
15 Pidgeon.

16 Now, at the family home, the girls' bedroom is on
17 the street side of the house; is that right?

18 A. Right.

19 Q. So how far would you say it was from their bedroom
20 window to the curb?

21 A. Twenty feet, maybe.

22 Q. So would you say it was within throwing distance of a
23 Molotov cocktail?

24 A. Absolutely.

25 Q. How about throwing distance of a brick?

1 A. Anything.

2 Q. Anything.

3 Somebody -- is it, in your mind, entirely possible
4 that somebody could throw something out of a car window
5 while driving by and hit the -- and hit that room?

6 A. It's entirely possible.

7 Q. And then the living room is in -- is the living room on
8 the front side of the house or the back side of the
9 house?

10 A. It's in the front side.

11 Q. So how close is the -- so -- but there -- are there
12 windows in the living room --

13 A. Right.

14 Q. -- facing the front yard?

15 A. Yes.

16 Q. But it was farther back from the street than --

17 A. Right.

18 Q. -- the bedroom?

19 A. Yeah.

20 Q. Now, on the -- did your dad ever show you any of the
21 blog sites where some of the threats were being posted?

22 A. Yeah.

23 Q. Can you describe the general tone of what those blog
24 sites were like.

25 A. Very hateful, very -- you know, completely unwilling

1 to -- completely uncivilized. It was just --

2 Q. Well, how many --

3 A. -- threatening and, you know, just -- everything they
4 said was just very -- the opposite of cordial, you know,
5 like they didn't want any debate on the subject. I
6 don't know.

7 Q. And how many of those blog sites did you see?

8 A. I think like two or three.

9 Q. Two or three, okay.

10 A. Sceglia or Bisceglia was one of 'em, the Bellingham
11 blogger. And the other one was the pink -- I forget
12 what it was called.

13 Q. There was some other blog called the pink something --

14 A. No --

15 Q. -- or --

16 A. Yeah, it's like -- that's what I remember. I don't
17 remember specifically.

18 Q. Was there other content on the blog site besides a
19 threat -- the threats or --

20 A. I don't remember.

21 MR. PIDGEON: All right, I have nothing further.

22

23 FURTHER EXAMINATION

24 BY MS. EGELER:

25 Q. , you stated that everything that was said on the

1 blog sites was the opposite of cordial. Did you read
2 quite a few comments on the blog sites?

3 A. Yeah.

4 Q. Did you ever see any comments where people were arguing
5 that homosexual families are families too and that they
6 want to be respected as families?

7 A. Yes.

8 Q. Would you consider that the opposite of cordial or would
9 you consider that an attempt to have a respectful
10 debate?

11 A. I'd say it was an attempt to, you know, stifle anybody
12 else's opinions about what they think.

13 Q. You would consider someone saying that they're a
14 homosexual family and they want to be respected as a
15 family to be trying to stifle --

16 A. Well, I never saw --

17 Q. -- someone else's opinion?

18 A. -- anybody say that specifically.

19 Q. Did you see anything that was not cuss words, not a
20 threat of any sort of violence, but rather a statement
21 of opinion about Referendum 71?

22 A. Yeah.

23 Q. And do you think other people have a right to express a
24 contrary opinion?

25 A. Absolutely.

1 Q. Did you see --

2 A. That's what this country's about. But the whole point
3 is that we were not allowed to. Anything we said was
4 just you're a bigot, you're hateful, like your opinion
5 does not matter. We're right, you're wrong. You don't
6 even have a right to say that. That's what I saw
7 throughout the entire campaign, is that if you disagree
8 with us, if you're against us, then you're pretty much
9 the worst person on the planet, you know.

10 Q. And by the same token, though, you think that people --
11 or do you think people are awful if they comment that
12 they think that same-sex partnership is appropriate?

13 A. Absolutely not.

14 Q. And did you see comments to that effect?

15 A. Not on those blogging sites that I remember. But, I
16 mean, that was pretty much the argument of the other
17 side.

18 Q. And did you ever see anyone posting that they have a
19 different belief regarding how God views equality among
20 all people?

21 A. I don't remember seeing that specifically, no.

22 Q. So all you ever saw was what you considered extremist
23 remarks?

24 A. Yeah.

25 Q. Were you ever -- did you ever see or hear a threat to

1 throw a Molotov cocktail or brick through your family
2 home's window?

3 A. No.

4 Q. And was anything ever thrown from a car at your home?

5 A. No.

6 Q. Anything ever thrown by a passerby?

7 A. No, thankfully.

8 Q. Were you responsible as part of your work with
9 for distributing signs around the
10 state?

11 A. Yes.

12 Q. Are you aware of any signs being stolen or --

13 A. Just about --

14 Q. -- broken?

15 A. -- every single one of 'em.

16 Q. You think just about every single sign was stolen?

17 A. Yes.

18 Q. What percentage of the signs do you think were stolen?

19 A. Stolen, destroyed, knocked down, however you wanna put
20 it, about 90 -- 80, 90 percent.

21 Q. Did you ever hear from anybody that was stealing or
22 breaking signs?

23 A. Did I ever hear from anybody that was doing that?

24 Q. Yes.

25 A. No.

1 Q. Do you know -- or did you meet, did you see anyone doing
2 that?

3 A. No.

4 MS. EGELER: Okay. Okay, that's all I have.

5

6 FURTHER EXAMINATION

7 BY MR. DIXSON:

8 Q. I just had one more question, and I'm sorry; I don't
9 mean to drag this on.

10 But other than the comment that you posted on The
11 Stranger Web site, did you, on the blog sites
12 Mr. Pidgeon mentioned, enter any comments yourself or
13 did you just view the comments that were made?

14 A. I just viewed them. I pretty much stayed out of it.

15 Q. And other than the one comment that you posted on
16 Web site, did you post any comments anywhere to
17 try to engage in this dialogue?

18 A. No.

19 MR. DIXSON: Okay, thank you.

20

21 FURTHER EXAMINATION

22 BY MS. ENGRAV:

23 Q. Just one question.

24 You were discussing with the attorney for the State
25 about the extremist comments that you saw. Are you

1 aware of any similar comments but made directed in the
2 other direction, somebody who supported Referendum 71
3 using foul language or inappropriate remarks about
4 somebody opposed to it?

5 A. Could you repeat that.

6 Q. Sure. It was probably a bit long, wasn't it?

7 You were discussing extremist comments that you saw
8 on blog postings made by people who did not support
9 Referendum 71 and used foul language, made crude sexual
10 comments. Are you aware of any comments of the same
11 nature being made by people in the other direction,
12 pointed at gay or lesbian people, people who did not
13 support the referendum?

14 A. I was not aware, no. But when -- and when you say
15 extremists, you're making it seem like it's a very small
16 percentage of these -- the people who were against us
17 were doing these sort of things. It was most of them.

18 Q. I thought I was just using your own language to describe
19 the type of remarks. So not trying to categorize a
20 percentage, just the nature of the remarks and language
21 used.

22 So my question was, are you aware that those
23 comments may have been made in the other direction by
24 people who supported your referendum and were speaking
25 against people who did not support it?

1 A. I was not aware of any.

2 Q. Would it surprise you to know they'd been made?

3 A. It would not surprise me because there's extremists on
4 both sides. But the vast majority of the foul language
5 and the threatening language was on the other side, not
6 ours.

7 Q. And I believe you testified that you looked at a few
8 blogs that were directed against the referendum and
9 that's the extent of the on-line commentary you looked
10 at.

11 A. It's not the extent of it. There was plenty of articles
12 against what we were doing.

13 Q. Did you try to go out and find out blogosphere comments
14 that were in blogs not against you, but aimed at the
15 other direction?

16 A. Not against me, but aimed at the other direction?

17 Q. Did you try to go out and find the blogs that may
18 contain comments of people who supported Referendum 71,
19 may be opposed to gay and lesbian people?

20 A. Yeah. I mean, of course I saw, you know, people --
21 there was people who supported what we were doing,
22 making -- who had blogs and who wrote articles, sure.

23 Q. So I guess I'm a little confused, because at first you
24 said you only looked at a few blogs, and now it sounds
25 like you're saying you --

1 A. I thought --

2 Q. -- went out and looked at a lot.

3 A. I thought you were talking about -- okay. Throughout
4 the campaign I read many articles, I read many blogs. I
5 thought you were specifically asking before about
6 opposition blogs, you know, blogs opposing what we were
7 doing. I mean, I read articles and blogs the entire
8 campaign, pro and against.

9 Q. And so reading those blog posts pro and against, you saw
10 or you didn't see comments using foul language, making
11 sexual remarks directed against gay or --

12 MR. PIDGEON: Objection --

13 Q. (by Ms. Engrav) -- lesbian people?

14 MR. PIDGEON: -- this assumes facts not in evidence
15 and I'm also objecting on the basis of relevance.

16 But go ahead and answer.

17 A. I don't remember any.

18 MS. ENGRAV: Thank you.

19

20 FURTHER EXAMINATION

21 BY MR. PIDGEON:

22 Q. I've got -- I have just a couple of follow-up questions.
23 Were there any bumper stickers involved in the
24 campaign?

25 A. You know, after I said that I don't remember, I seem to

1 remember now that we may have, just because of their
2 poor quality. And I think I remember them, you know --
3 I'm -- I can't say for a fact, but I seem to remember,
4 you know, we may have had some bumper stickers.

5 Q. Did any -- to your knowledge, did anybody deploy a
6 bumper sticker, put it on their car?

7 A. If we had them, yeah, I'm sure they did.

8 Q. Do you know if anybody's car was vandalized that had a
9 bumper sticker on it?

10 A. I don't remember, no.

11 Q. And then just to clarify some of this language here, you
12 were asked earlier about negative blog sites, if I
13 recall. So is -- was it your testimony that you didn't
14 want your dad to show you any more of these horrendous
15 blog sites?

16 A. I didn't wanna listen to any more of the horrendous
17 voice mails. I kept up pretty well on, you know,
18 reading what was going on on the Internet.

19 Q. So your -- is -- was your general review of what was
20 happening on the Internet just more or less, say, a view
21 of the articles that were going on, the news coverage
22 about the --

23 A. Yes.

24 Q. -- the case? Okay.

25 So you weren't necessarily seeking blog commentary,

1 but rather --

2 A. Right.

3 Q. -- news and regular comments there too.

4 A. Right.

5 MR. PIDGEON: Okay. Okay, that's it.

6 MS. EGELER: Okay, I think we're done,

7 THE WITNESS: Okay.

8 MS. EGELER: Thank you.

9

10 (Whereupon the deposition
11 concluded at 1:57 p.m.)

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CERTIFICATE

STATE OF WASHINGTON)
)
COUNTY OF SNOHOMISH)

I, the undersigned Notary Public in and for the
State of Washington, do hereby certify:

That the foregoing is a full, true, and correct
transcript of the testimony of the witness named herein,
including all objections, motions, and exceptions;

That the witness before examination was by me duly
sworn to testify truthfully and that the transcript was made
available to the witness for reading and signing upon
completion of transcription, unless indicated herein that the
witness waived signature;

That I am not a relative or employee of any party
to this action or of any attorney or counsel for said action
and that I am not financially interested in the said action
or the outcome thereof;

That I am sealing the original of this transcript
and promptly delivering the same to the ordering attorney.

IN WITNESS WHEREOF, I have hereunto set my hand and
seal this 3rd day of October, 2010.

Notary Public in and for the State of Washington
residing at Edmonds, Washington.
(Notary expires 3/09/13)
(CCR No. 2699)